

KEAN UNIVERSITY

Code of Ethics

A. Purpose and Applicability

This Code of Ethics is established to specify the general standards of conduct necessary for the proper and efficient operation of Kean University, an institution of higher education of the State of New Jersey. Further, this Code of Ethics is adopted to maintain public trust and confidence, and to inform the trustees, officers and employees of Kean University about the standards of conduct expected of them.

The following Code of Ethics shall apply, upon approval of the Executive Commission on Ethical Standards, to all Kean University trustees, officers and employees (all faculty, administration and staff, whether full time or part time, permanent or temporary, career service or unclassified, compensated or not, including student workers). In addition, Kean University trustees, officers and employees are subject to all other University policies that govern conduct and activities and the applicable compliance procedures therein.

B. Source of Authority

In addition to this Code of Ethics, the trustees, officers and employees of Kean University, who are by reason of such status also special State officers, State officers and employees under the New Jersey Conflicts of Interest Law, are expected to fully comply with all applicable provisions of N.J.A.C. 9A:3-1.1 et seq. (Institutional Code of Ethics), N.J.S.A. 52:13D-12 et seq. (New Jersey Conflicts of Interest Law) and N.J.A.C. 19:61-1.1 et seq. (Executive Commission on Ethical Standards Rules) which comprise the statutory and regulatory authority for this Code of Ethics.

C. Ethics Liaison Officer

The Kean University Ethics Liaison Officer, who shall be designated by the President, is the official liaison to the Executive Commission on Ethical Standards. Any questions from Kean University trustees, officers or employees regarding conflicts of interests or other ethics related matters should be directed to the Ethics Liaison Officer. Also, a trustee, officer or employee may seek guidance or request a review and opinion on an ethical issue from the Executive Commission on Ethical Standards pursuant to N.J.S.A. 52:13D-21 and N.J.A.C. 19:61-2.2(c). Information about the Commission and guidance concerning the State Conflicts of Interest Law can be found at www.state.nj.us/lps/ethics.

D. General Rules of Conduct

The following rules are applicable to all members of the Board of Trustees, officers and employees of Kean University:

1. No trustee, officer or employee should have any interest (financial or otherwise, direct or indirect) or engage in any business, transaction or professional activity that is in substantial conflict with the proper discharge of his/her duties in the public interest, such as any activity that would impair his/her ability to perform such duties.
2. No trustee, officer or employee should use or attempt to use his/her official position to secure unwarranted privileges or advantages for himself/herself or others.
3. No trustee, officer or employee should act in his/her official capacity in any matter wherein he/she has a direct or indirect personal financial interest that might reasonably be expected to impair his/her objectivity or independence of judgment in the exercise of his/her official duties.
4. No trustee, officer or employee should engage in any particular business, profession, trade or occupation that is subject to licensing or regulation by a specific agency of State government without first filing notice of such activity with the Ethics Liaison Officer and with the Executive Commission on Ethical Standards. Examples of such licensed or regulated activities include work as an attorney, physician, nurse, engineer, pharmacist, real estate agent, and teacher.
5. No trustee, officer or employee should undertake any employment or service, whether compensated or not, that might reasonably be expected to impair his/her objectivity and independence of judgment in the exercise of official duties.
6. No trustee, officer or employee should accept any gift, favor, service, employment or offer of employment or other item of more than minimal value under circumstances from which it might be reasonably inferred that it was given or offered for the purpose of influencing him/her in the discharge of official duties. However, certain items determined by the Ethics Liaison Officer to have minimal value may be excluded from this requirement.

In the event any trustee, officer or employee receives a gift, benefit, favor or other thing of value, either directly or indirectly and whether by himself/herself, or through a spouse or family member, from a person or entity with whom the trustee, officer or employee has had contact in his/her official capacity at Kean University, he/she shall immediately report receipt of the item to the Ethics Liaison Officer. The Ethics Liaison Officer shall determine whether the item may be accepted or retained, or whether such receipt would create an impression of a conflict of interest, appearance of impropriety or violation of the public trust. Only those items which the Ethics Liaison Officer determines have minimal value and which do not create the impression that the trustee, officer or employee

endorses a particular product or service will be deemed suitable for acceptance or retention.

7. No trustee, officer or employee should knowingly act in any way that would be viewed by the public as an actual conflict of interest or appearance of impropriety.
8. No trustee, officer or employee should use or allow to be used his/her public office or employment or any information not generally available to members of the public acquired in the course of and by reason of his/her official duties for Kean University for the purpose of securing financial gain for himself/herself or others with whom he/she is associated.
9. No trustee, officer or employee, himself/herself, or by his/her partners, or through any corporation which he/she controls or in which he/she owns or controls more than one percent (1%) interest of stock or more than one percent (1%) interest in the capital of a partnership or other business entity, shall knowingly undertake or execute any contract, agreement, sale or purchase of the value of \$25.00 or more made, entered into, awarded, or granted by the University or by any State agency, except:
 - a. Any contract, agreement, sale or purchase which is made after public notice and competitive bidding.
 - b. Any contract, agreement, sale or purchase which is awarded without public notice and competitive bidding pursuant to N.J.S.A. 18A:64-56.
 - c. Any contract of insurance entered into by the Director of the Division of Purchase and Property, Department of Treasury pursuant to N.J.S.A. 52:27B-62.

Any contract made pursuant to this paragraph must have the prior approval of the Executive Commission on Ethical Standards.

Notwithstanding any other provision in this Paragraph 9 or the New Jersey Conflicts of Interest Law, a faculty or staff member or his/her partners or any corporation or business entity in which he/she owns or controls more than one percent (1%) of the stock, assets or profits may enter into a contract or agreement with the University, where the contract or agreement is for the development of scientific or technological discoveries or innovations in which the University has a property right, if the faculty or staff member receives prior approval to do so from the University.

10. No trustee, officer or employee, nor any partnership, business entity or corporation in which he/she has an interest, nor any partner, trustee, officer or employee of any such partnership, business entity or corporation, shall agree to or actually represent, appear for, or

negotiate on behalf of any person or party other than the State in connection with any cause, proceeding, application or other matter pending before any State agency, except as provided in N.J.S.A. 52:13D-16.

11. No trustee, officer or employee shall have a personal contractual or business relationship with the President or any Vice President of Kean University.

E. Outside Employment for Employees

1. The primary work obligation of Kean University employees (faculty member, administrator or classified employee) is to Kean University.
2. A Kean University employee may engage in outside or secondary employment or service and outside business interests, only if the outside or secondary employment or service does not:
 - a. Constitute a conflict of interest, as determined by the Ethics Liaison Officer;
 - b. Occur at a time when the employee is expected to perform his/her assigned duties for Kean University; and
 - c. Diminish the employee's efficiency in performing his/her primary work obligation.
3. Every employee shall annually disclose outside or secondary employment or service and/or outside business interests to the Ethics Liaison Officer. The Ethics Liaison Officer shall publish the forms and promulgate the procedures for monitoring outside or secondary employment of or service by University employees in accordance with this Code of Ethics and the requirements of the Executive Commission on Ethical Standards.

F. Attendance at Events or Functions

1. In General

University trustees, officers and employees on legitimate State business authorized by the University are responsible for full payment of the costs of their meals, beverages, lodging and travel. However, upon proper approval, and in accordance with the University and State policies and travel regulations, and in accordance with the specific program funding and reimbursement policies, the University may reimburse the reasonable expenses of the University trustee, officer or employee. Neither the University trustee, officer or employee nor the University or the State may accept payment or reimbursement from any interested person, supplier or trade group which is doing business with the University, contemplating

doing business with the University or seeking to influence actions of the University.

2. Private Capacity

- a. A University trustee, officer or employee may attend any event or function paid for with personal funds on the trustee's, officer's or employee's personal time, provided it does not conflict with any other provision of this Code of Ethics.
- b. A University trustee, officer or employee who wishes to attend an event in his/her private capacity may be directly reimbursed by an organization for reasonable expenses under the following circumstances:
 - (1) If the University trustee, officer or employee has not had, does not have or is not reasonably expected to have dealings with the organization in the course of his/her official duties; or
 - (2) If the event is sponsored by an organization the majority of whose members the University trustee, officer or employee has not had, does not have or is not reasonably expected to have dealings in the course of his/her official duties.

3. Events Sponsored by Interested Parties

- a. The University trustee, officer or employee shall secure prior approval from the University President or his designee to attend such an event.
- b. The State shall pay the reasonable expenses of the University trustee, officer or employee attending the event except where the event is designed to provide training, dissemination of information or the exchange of ideas and the University trustee, officer or employee is making a speech or is participating in a panel at the event or is an accompanying resource person for the speaker and/or participant, subject to the reasonable approval of the University.
- c. Neither the University trustee, officer or employee nor the State shall receive any direct or indirect benefits arising out of the event from any source except that, in the exception

set forth in paragraph (b) above, the direct or indirect benefit may include reasonable and actual travel expenses and allowable entertainment expenses associated with the event if the event is held in New Jersey. If the event is held outside of New Jersey, reimbursement for these expenses cannot exceed \$500.00. This \$500.00 limit does not apply where payment is made by a non-profit organization of which the University trustee, officer or employee is an active member and his or her membership fee is paid by the State. Also, the \$500.00 limit does not apply where the non-profit organization does not contract with the State to provide goods, services, materials or equipment.

- d. Approvals of all events where the interested party is paying the expenses of the University trustee, officer or employee as permitted, must be forwarded to the Executive Commission of Ethical Standards for review.
- e. A University trustee, officer or employee may pay his or her own expenses with his or her personal funds.
- f. A University trustee, officer or employee shall not accept an honorarium or fee for a speech or presentation at an event sponsored by an interested party.

4. Events Sponsored by an Entity Other than an Interested Party

- a. The University trustee, officer or employee shall secure prior approval from the University President or his designee to attend such an event.
- b. The State may pay the reasonable expenses for the University trustee, officer or employee to attend or permit the University trustee, officer or employee to accept direct or indirect benefits including reasonable and actual travel expenses and allowable entertainment expenses associated with the event if the event is held in New Jersey. If the event is held outside of New Jersey, reimbursement for these expenses cannot exceed \$500.00. This \$500.00 limit does not apply where the payment is made by a non-profit organization of which the University trustee, officer or employee is an active member and his or her membership fee is paid by the State. Also, the \$500.00 limit does not apply where the non-profit organization does not contract with the State to provide goods, services, materials or equipment.

- c. Under no circumstances may a University trustee, officer or employee accept entertainment collateral to the event, such as a golf outing or meals taken other than in a group setting with all attendees.
- d. A University trustee, officer or employee shall not accept an honorarium or fee for a speech or presentation from the event sponsor.

G. Employment of Family or Household Members

To avoid issues of favoritism and potential conflict, no employee shall act in his or her official capacity in any University matter where a family member of the employee has a direct or indirect interest that might reasonably be expected to impair the employee's objectivity or independence of judgment. Family members are defined as spouses, domestic partners, children, parents or siblings residing in the same household or cohabitants with whom there is a financial relationship. Direct interests include, but are not limited to, initial employment, retention, job classification, salary, performance appraisals and work assignments. No employee shall directly supervise a member of his or her own family. It is the intent of the University to avoid instances that could be influenced by the family relationship in hiring, performance evaluation, promotion, reclassification, discipline, grievance or dismissal processes.

H. Notification of Immediate Relative's Employment

All officers and employees are required to notify Kean University regarding any members of their immediate families employed by a contractor, consultant, vendor or any other company or firm doing business with Kean University. In addition, all officers and employees are required to notify Kean University regarding any members of their immediate families employed by any holder or applicant for a casino license.

I. Post-Employment Restrictions

No trustee, officer or employee, subsequent to the termination of his/her office or employment in any State agency, shall agree to or actually represent, appear for, negotiate on behalf of, or provide information obtained in his/her official capacity and not generally available to members of the public, whether personally or through any partnership, business entity or corporation in which he/she has an interest, to any person or party other than the University in connection with any cause, proceeding, application or other matter with respect to which such trustee, officer or employee shall have made any investigation, rendered any ruling, given any opinion, or otherwise been substantially and directly involved at any time during the term of his/her office or employment at the University. There is no time limit for this prohibition.

J. Recusal Process

A trustee, officer or employee must recuse himself /herself from a matter if he/she has any financial interest, direct or indirect, that is incompatible with the discharge of his/her official duties or any personal interest, direct or indirect, that is incompatible with the discharge of his/her official duties.

For purposes of recusal, an incompatible financial or personal interest includes, but is not limited to outside employment; a debtor/creditor relationship; a fiduciary relationship; a source of income; any matter pertaining to a relative or cohabitant; a relationship with a person providing funds, goods or services without compensation; any matter pertaining to a business associate or business investment; and a leadership role in a professional or trade organization, which interest might reasonably be expected to impair the objectivity and independence of judgment in the exercise of official duties or might reasonably be expected to create an impression or suspicion among the public having knowledge of his/her acts that he/she may be engaged in conduct violative of his/her trust as a trustee, officer or employee. All recusals must be in writing on forms provided by the Ethics Liaison Officer.

K. Accountability and Oversight

A trustee, officer or employee who violates this Code of Ethics may be subject to sanctions in accordance with the Conflicts of Interest Law (N.J.S.A. 52:13D-12, et seq.) and the New Jersey Code of Criminal Justice (N.J.S.A. 2C:1-1 et seq.). Such sanctions may include: fines, incarceration, removal or suspension from office and ineligibility for future public employment. In addition to the above sanctions, trustees, officers and employees who violate this Code of Ethics are subject to disciplinary action by Kean University and/or the Executive Commission on Ethical Standards up to and including termination.

Each trustee, officer and employee shall sign a receipt indicating the date on which the Code of Ethics was received and acknowledge that he/she is responsible for reading the Code of Ethics and is bound by it. Receipts shall be maintained in the employee's personnel file pursuant to N.J.A.C. 19:61-2.2.

Whenever there is any possibility of a violation of the Kean University Code of Ethics, trustees, officers and employees are advised to consult the University's Ethics Liaison Officer or the Executive Commission of Ethical Standards for clarification of the Code's provisions.